

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TANH HUU LAM,

Defendant.

No. 2:97-cr-0054 WBS CSK

ORDER

Pending before the Court is defendant's motion to dismiss the indictment filed February 27, 2025. (ECF No. 517.) On March 3, 2025, defendant's motion to dismiss the indictment was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 519.)

On March 10, 2025, the magistrate judge filed findings and recommendations herein which were served on defendant and which contained notice to defendant that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 521.) In response to the findings and recommendations, defendant filed a motion for a hearing regarding the pending motion to dismiss the indictment. (ECF No. 522.) After reviewing the record, this Court finds that a hearing regarding the pending motion to dismiss the indictment is not warranted. Accordingly, defendant's motion for a hearing is denied.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this

1 Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the  
2 Court finds the findings and recommendations to be supported by the record and by proper  
3 analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations (ECF No. 521) are adopted in full;
- 6 2. Defendant's motion to dismiss the indictment (ECF No. 517) is denied; to the extent  
7 defendant's motion to dismiss the indictment is considered a motion pursuant to 28 U.S.C.  
8 § 2255, the motion is dismissed; and
- 9 3. Defendant's motion for a hearing (ECF No. 522) is denied.

10 Dated: April 4, 2025



11 WILLIAM B. SHUBB  
12 UNITED STATES DISTRICT JUDGE

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